

allotment be deducted from the amount withheld from the pay of the member of the uniformed services concerned pursuant to such regulations.”

Subsec. (l). Pub. L. 105-85, § 1105(3), struck out subsec. (l) which read as follows: “The amount of an agency’s administrative costs deducted under regulations prescribed pursuant to subsection (j)(2) or (k)(3) shall be credited to the appropriation, fund, or account from which such administrative costs were paid.”

1996—Subsecs. (h)(2), (i). Pub. L. 104-193 substituted “section 459 of the Social Security Act (42 U.S.C. 659)” for “sections 459, 461, and 462 of the Social Security Act (42 U.S.C. 659, 661, and 662)”.

Subsec. (j)(2). Pub. L. 104-106, § 643(a), added par. (2) and struck out former par. (2) which read as follows: “Such regulations shall provide that an agency’s administrative costs in executing a garnishment action may be added to the garnishment, and that the agency may retain costs recovered as offsetting collections.”

Subsec. (k)(3), (4). Pub. L. 104-106, § 643(b), added par. (3) and redesignated former par. (3) as (4).

Subsec. (l). Pub. L. 104-106, § 643(c), added subsec. (l).

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-193 effective six months after Aug. 22, 1996, see section 362(d) of Pub. L. 104-193, set out as a note under section 659 of Title 42, The Public Health and Welfare.

For provisions relating to effective date of title III of Pub. L. 104-193, see section 395(a)–(c) of Pub. L. 104-193, set out as a note under section 654 of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE; SAVINGS PROVISION

Section effective 120 days after Oct. 6, 1993, and not to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as a note under section 7321 of this title.

#### PILOT PROGRAM ON ALTERNATIVE NOTICE OF RECEIPT OF LEGAL PROCESS FOR GARNISHMENT OF FEDERAL PAY FOR CHILD SUPPORT AND ALIMONY

Pub. L. 105-261, div. A, title X, § 1061, Oct. 17, 1998, 112 Stat. 2128, authorized the Secretary of Defense to conduct a pilot program on alternative notice procedures for withholding or garnishment of pay for the payment of child support and alimony under section 659 of Title 42, The Public Health and Welfare, required the Secretary to submit to Congress, not later than Jan. 1, 2001, a report describing the experience of the Department of Defense under the authority provided for the program, and provided for termination of pilot program on Sept. 30, 2001.

#### EX. ORD. NO. 12897. GARNISHMENT OF FEDERAL EMPLOYEES’ PAY

Ex. Ord. No. 12897, Feb. 3, 1994, 59 F.R. 5517, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 5520a(j)(1)(A) of title 5, United States Code, as added by section 9 of Public Law 103-94, it is hereby ordered as follows:

SECTION 1. The Office of Personnel Management, in consultation with the Attorney General, is designated to promulgate regulations for the implementation of section 5520a of title 5, United States Code, with respect to civilian employees and agencies in the executive branch, except as provided in section 2 of this order.

SEC. 2. The Postmaster General is designated to promulgate regulations for the implementation of section 5520a of title 5, United States Code, with respect to employees of the United States Postal Service.

WILLIAM J. CLINTON.

### SUBCHAPTER III—ADVANCEMENT, ALLOTMENT, AND ASSIGNMENT OF PAY

#### § 5521. Definitions

For the purpose of this subchapter—

(1) “agency” means—

- (A) an Executive agency;
- (B) the judicial branch;
- (C) the Library of Congress;
- (D) the Government Printing Office; and
- (E) the government of the District of Columbia;

(2) “employee” means an individual employed in or under an agency;

(3) “head of each agency” means—

- (A) the Director of the Administrative Office of the United States Courts with respect to the judicial branch; and
- (B) the Mayor of the District of Columbia with respect to the government of the District of Columbia; and

(4) “United States”, when used in a geographical sense, means the several States and the District of Columbia.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 479; Pub. L. 90-623, § 1(10), Oct. 22, 1968, 82 Stat. 1312; Pub. L. 96-54, § 2(a)(31), Aug. 14, 1979, 93 Stat. 383.)

#### HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 3071.	Sept. 26, 1961, Pub. L. 87-304, § 1, 75 Stat. 662. June 24, 1965, Pub. L. 89-47, 79 Stat. 171.

In paragraph (1), the word “agency” is substituted for “department”. The term “Executive agency” is substituted for the reference to “each executive department of the Government of the United States of America; each agency or independent establishment in the executive branch of such Government; each corporation wholly owned or controlled by such Government” in former section 3071(1)(A)–(C).

Paragraph (2) is added for clarity and in view of the fact that the definition of “employee” in section 2105 does not include individuals employed by the government of the District of Columbia.

In paragraph (3), the term “department head” is omitted as unnecessary.

In paragraph (4), the words “of the United States of America” are omitted as unnecessary.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### AMENDMENTS

1979—Par. (3)(B). Pub. L. 96-54 substituted “Mayor” for “Commissioner”.

1968—Par. (3)(B). Pub. L. 90-623 substituted “Commissioner” for “Board of Commissioners”.

#### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-54 effective July 12, 1979, see section 2(b) of Pub. L. 96-54, set out as a note under section 305 of this title.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of this title.